



12/23/2013

MORGAN, LEWIS & BOCKIUS LLP
NICOLE A. DILLER (SBN 154842)
ndiller@morganlewis.com
SACHA M. STEENHOEK (SBN 253743)
ssteenhoek@morganlewis.com
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Tel: 415.442.1000
Fax: 415.442.1001

Attorneys for Defendants Facebook, Inc., the
Facebook, Inc. Health and Welfare Plan, Jabil
Circuit, Inc., the Jabil Circuit, Inc. Health Benefit Plan,
Toyota Motor Sales USA, Inc., TE Connectivity Ltd
(erroneously sued as Tyco Electronics Corporation),
the TE Connectivity Health and Welfare Benefits Plan
(erroneously sued as Tyco Electronics Corporation
Health and Welfare Plan), and TE Connectivity
Networks, Inc.

DARON L. TOOCH (State Bar No. 137269)
dtooch@health-law.com
KATHERINE M. DRU (State Bar No. 280231)
HOOPER, LUNDY & BOOKMAN, P.C.
1875 Century Park East, Suite 1600
Los Angeles, CA 90067-2517
Tel: 310-551-8111
Fax: 310-551-8181

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BAY AREA SURGICAL GROUP,
INC., et al.,

Plaintiffs,

vs.

AETNA LIFE INSURANCE
COMPANY, et al.,

Defendants.

Case No. 5:13-cv-05430 EJD

**STIPULATION TO EXTEND DEFENDANTS
FACEBOOK, INC., FACEBOOK, INC.
HEALTH AND WELFARE PLAN, JABIL
CIRCUIT, INC., JABIL CIRCUIT, INC.
HEALTH BENEFIT PLAN, TOYOTA MOTOR
SALES USA, INC., TE CONNECTIVITY LTD
(ERRONEOUSLY SUED AS TYCO
ELECTRONICS CORPORATION), THE TE
CONNECTIVITY HEALTH AND WELFARE
BENEFITS PLAN (ERRONEOUSLY SUED AS
TYCO ELECTRONICS CORPORATION
HEALTH AND WELFARE PLAN), AND TE
CONNECTIVITY NETWORK, INC.'S
DEADLINE TO RESPOND TO COMPLAINT**

Judge: Hon. Edward J. Davila
Trial Date: None Set

1 Plaintiffs Bay Area Surgical Group, Inc., Knowles Surgery Center, LLC, National
 2 Ambulatory Surgery Center, LLC, Los Altos Surgery Center, LP, Forest Ambulatory Surgical
 3 Associates, LP, and SOAR Surgery Center, LLC, and Defendants Facebook, Inc. and the
 4 Facebook, Inc. Health and Welfare Plan (the “Facebook Defendants”), Jabil Circuit, Inc. and the
 5 Jabil Circuit, Inc. Health Benefit Plan (the “Jabil Defendants”), Toyota Motor Sales USA, Inc.
 6 (“TMS”), TE Connectivity Ltd. (erroneously sued as Tyco Electronics Corporation), the TE
 7 Connectivity Health and Welfare Benefits Plan (erroneously sued as Tyco Electronics
 8 Corporation Health and Welfare Plan), and TE Connectivity Networks, Inc. (the “TE
 9 Defendants”), through their undersigned counsel of record, stipulate to extend the date for the
 10 Facebook Defendants, the Jabil Defendants, TMS, and the TE Defendants to answer or otherwise
 11 respond to Plaintiffs’ initial complaint (the “Complaint”) in this matter as follows:

12 WHEREAS, Plaintiffs filed the Complaint on November 22, 2013;

13 WHEREAS, the Facebook Defendants were served with the Complaint by personal
 14 service on November 26, 2013;

15 WHEREAS, the Facebook Defendants’ original deadline to answer or otherwise respond
 16 to the Complaint was December 17, 2013;

17 WHEREAS, the Jabil Defendants were served with the Complaint by personal service on
 18 November 25, 2013;

19 WHEREAS, the Jabil Defendants’ original deadline to answer or otherwise respond to the
 20 Complaint was December 16, 2013;

21 WHEREAS, TMS was served with the Complaint by personal service on November 25,
 22 2013;

23 WHEREAS, TMS’s original deadline to answer or otherwise respond to the Complaint
 24 was December 16, 2013;

25 WHEREAS, the TE Defendants were served with the Complaint by personal service on
 26 November 25, 2013;

27 WHEREAS, the TE Defendants’ original deadline to answer or otherwise respond to the
 28 Complaint was December 16, 2013;

1 WHEREAS, on December 11, 2013, Plaintiffs filed a stipulation with this Court stating
2 that no defendant would be required to respond to the Complaint before January 10, 2014;

3 WHEREAS, the Facebook Defendants, the Jabil Defendants, TMS, and the TE
4 Defendants have requested an extension of time to answer or otherwise respond to the Complaint;

5 WHEREAS, Plaintiffs have agreed to extend the time for the Facebook Defendants, the
6 Jabil Defendants, TMS, and the TE Defendants to answer or otherwise respond to the Complaint
7 until January 31, 2014;

8 WHEREAS, the parties agree that if any of the Facebook Defendants, the Jabil
9 Defendants, TMS or the TE Defendants cease to be represented by Morgan Lewis and instead
10 retains Aetna's counsel of record for representation in this matter, such defendant's deadline to
11 respond to the Complaint will revert to January 10, 2014;

12 NOW THEREFORE, IT IS STIPULATED by and between Plaintiffs and the Facebook
13 Defendants, the Jabil Defendants, TMS, and the TE Defendants, through their counsel of record,
14 that the deadline for the Facebook Defendants, the Jabil Defendants, TMS, and the TE
15 Defendants to answer or otherwise respond to the Complaint shall be extended until January 31,
16 2014 provided they retain their current counsel of record through that date.

17 IT IS SO STIPULATED

18 Dated: December 20, 2013 MORGAN, LEWIS & BOCKIUS LLP

19 By /s/ Nicole Diller

20 NICOLE A. DILLER

21 Attorneys for Defendants Facebook, Inc., the Facebook,
22 Inc. Health and Welfare Plan, Jabil Circuit, Inc., the Jabil
23 Circuit, Inc. Health Benefit Plan, Toyota Motor Sales
24 USA, Inc., TE Connectivity Ltd (erroneously sued as
Tyco Electronics Corporation), the TE Connectivity
Health and Welfare Benefits Plan (erroneously sued as
Tyco Electronics Corporation Health and Welfare Plan),
and TE Connectivity Networks, Inc.

25 Dated: December 20, 2013 HOOPER, LUNDY & BOOKMAN, P.C.

26 By /s/ Katherine M. Dru
27 (as authorized on 12/20/2013)

28 KATHERINE M. DRU
Attorneys for Plaintiffs